

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Shukri H.,

Civ. No. 19-1945 (PJS/BRT)

Petitioner,

v.

ORDER

William P. Barr; Kevin McAleenan;
Thomas Homan; Peter Berg; and Eric
Hollien,

Respondents.

IT IS HEREBY ORDERED that:

1. Respondents are directed to file an answer to the petition for a writ of habeas corpus of Petitioner within 30 days of this order certifying the true cause and proper duration of his confinement and showing cause why the writ should not be granted in this case.¹

2. Respondents' answer should include:

- a. Such affidavits and exhibits as are needed to establish the lawfulness and correct duration of Petitioner's incarceration, in light of the issues raised in the petition;
- b. A reasoned memorandum of law and fact fully stating respondents' legal position on Petitioner's claims; and
- c. Respondents' recommendation on whether an evidentiary hearing should be conducted in this matter.

¹ This Court interprets Petitioner's habeas petition as raising a claim pursuant to *Zadvydas v. Davis*, 533 U.S. 678 (2001). Accordingly, respondents should provide their view as to whether Petitioner's removal is reasonably foreseeable in the near future.

3. If Petitioner intends to file a reply to Respondents' answer, he must do so within 30 days of the date when that answer is filed. Thereafter, no further submissions from either party will be permitted, except as authorized by Court order.

4. Petitioner's application to proceed *in forma pauperis* [ECF No. 2] is GRANTED.

Dated: August 13, 2019

s/ Becky R. Thorson
BECKY R. THORSON
United States Magistrate Judge